

<b>Contains Confidential or Exempt Information</b>	<b>YES - Part</b> Confidential Appendix 1 contains legal advice to the Council which is not for publication by virtue of paragraph 5 of part 1 of Schedule 12A to the Local Government Act 1972
<b>Title</b>	LBE commissioned Tier 2 Child and Adolescent Mental Health Service (CAMHS)
<b>Responsible Officer(s)</b>	Judith Finlay, Executive Director Children, Adults & Public Health
<b>Author(s)</b>	Lisa Burrage, Tier 2 Contract Lead - Integrated Commissioning Team
<b>Portfolio(s)</b>	Cllr Yvonne Johnson, Children's Services
<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	9 <sup>th</sup> February 2021
<b>Implementation Date if Not Called In</b>	22 <sup>nd</sup> February 2021
<b>Affected Wards</b>	All"
<b>Keywords/Index</b>	Child and Adolescent Mental Health Service (CAMHS)

**Purpose of Report:**

The Children and Adolescent Mental Health service (CAMHS) is the provision of Tier 2 Mental Health services to bring about positive change for Ealing children and families and help support children and young people to achieve their optimum emotional health and well-being. The service provides all Tier 2 mental health services that LBE commissions from West London NHS Trust delivered through the following integrated teams: Looked After Children; SAFE; ESCAN; Brighter Futures; Primary Behaviour Service; Clinical Psychology in Schools. The wider borough CAMHS and Adult Mental Health provision (commissioned by Ealing Clinical Commissioning Group) is also delivered by West London NHS Trust.

The Cabinet is being asked to:

- Agree a Direct Award (based on the current recharge agreement) to replace the existing arrangements with West London NHS Trust (WLT) for Child and Adolescent Mental Health Services which will expire on 31st March 2021. The Direct Award via exception to CPR would be for 1 year from 1st April 2021 to the 31st March 2022.
- Approve the competitive re procurement of the service via a suitable procurement process to coincide with the end of the 1-year Direct Award contract in March 2022. This process will include the co-produced redesign of the service prior to published tender.

## 1. Recommendations

That Cabinet

1.1 authorises the Executive Director Children, Adults & Public Health to make a direct contract award for Tier 2 CAMHS with a total value of £1.895m for one year from 1st April 2021 to 31st March 2022 to West London NHS Trust, to be funded from the existing £1.695m Children's Services revenue budgets and £0.200m from the Clinical Commissioning Group.

1.2 authorises the Executive Director Children, Adults & Public Health to invite and evaluate tenders for a contract for the provision of Tier 2 CAMHS, and if an acceptable tender is received, delegate authority to the Executive Director Children, Adults & Public Health to award a contract to coincide with the end of the 1-year Direct Award contract in March 2022.

## 2. Reason for Decision and Options Considered

The Council funds and commissions Tier 2 mental health services for children and young people (CAMHS). Tier 3 CAMHS is commissioned by the Clinical Commissioning Group (CCG). At present these services are separately specified and commissioned, although both are provided by West London NHS Trust. The Council contract with West London NHS Trust will end in March 2021 and a decision is required to secure the immediate future of these services. This will allow time to co-design a new local specification and go out to tender for the entire Tier 2 service, which will include the new Mental Health Support Teams in November 2021, which commenced working in schools in January and November 2020, respectively.

This will not only ensure value for money but will also address a range of identified issues including:

- The need for co-production with the initial design of the service which fosters new ways of working
- The changing needs and issues highlighted in the CAMHS IST Review, SEND JSNA and SEND Inspection Report and national guidance on mental health for children and young people
- Providing further clarity within the service specification and defining pathways of care between and across services including Ealing Tier 3 services provided by West London NHS Trust, voluntary sector and schools.
- The variable data quality and potential outputs of the service.
- The monitoring of staffing costs and outdated performance indicators

This preferred option is in keeping with the aims of the gold programme: '*Safe and achieving outcome review*' and recognises the growing demand for emotional, mental health and wellbeing services in the context of the current crisis.

It also allows Ealing Community Partnership (ECP) to competitively tender for the redesigned service which was considered by commissioners under Option 2.

**Options** considered by Commissioners:

1. Extend the existing contract for 1 year with the existing provider under the current terms with minimal change till the end March 2022: This will allow time to design a new local specification and go out to tender for the entire Tier 2 service, which will include the new Mental Health Support Teams. This would also allow time for early market testing and engagement with health trusts and potential voluntary sector providers including new entrants to the market with the advent of Mental Health Support Teams..

**Recommended** – one year is sufficient for implementing the redesign of the service and re-procurement with sufficient capacity established to support this programme of work. Work has already begun in lieu of a range of issues previously identified.

2. Direct Award for up-to 1 year and re-provide under the Ealing CCG single community contract provided by Ealing Community Partnership (ECP). This is a 10-year contract, and the expectation is that all services that are varied into the contract are contracted on this basis. The contract is currently in Year 2 of the contract and CAMHS would be incorporated from 1st April 2022 until 31st March 2029.

**Not recommended** as Providers should bid as part of an open competitive re-procurement process – This would ensure that all identified issues were addressed within the wider contract framework and provide a better guarantee of value for money.

3. Direct Award for 2 years with the existing provider under the current terms with no change. This would not support the urgency of the service re-design to address the identified range of issues but allow a longer period of time to support a sector wide move to a new model of care.

**Not recommended** – Does not support the urgency of service redesign or service user engagement but does support service continuity. Savings from a streamlined management structure are no longer apparent with the recent recruitment of a much-needed Senior Clinical Team Manager for SAFE (£84,000) alongside 15% overheads charged against all staffing costs including agency costs.

### 3. Key Implications

#### Delayed Decision

There are several factors that have created uncertainty, and which have meant that it has not been possible to go out to tender before now, which are as follows:

- The Children's Health Commissioner post had been vacant for over 8 months reducing capacity in the Integrated Commissioning team to plan this work.
- It has taken time to embed the new cost and volume aspect of the contract and work is still ongoing
- Some elements of the service delivered are Statutory Service e.g., Brighter Futures and have facilitated the re-structure of the Social Care teams allowing improved outcomes with cost benefits

- The pathway for services remains ill-defined and more work is needed to foster seamless care provision which will both reduce silo working and the potential duplication in service provision within and across schools, thereby increasing overall capacity of the service.
- These are specialist Mental Health services delivering to best practice guidance i.e., NICE
- The level of professionals delivering services which comply with Royal College stipulations e.g., Clinical Psychologists
- There is a national challenge to the recruitment of suitably qualified Mental Health Practitioners
- The Mental Health Support Teams have only recently been established following the successful bids made to NHS England, NHS Improvement and Health Education England.

### **Service User Analysis**

The services support the emotional wellbeing and mental health needs of children and young people and supports Statutory services e.g. Social Care MAST teams and the Looked After Children's team to better meet the needs of Ealing children and families by providing psychological support

Service users, parents and carers are already involved in interviewing staff and co-designing some aspects of the overall service. The aim is to increase involvement as part of the redesign process and encourage representation at all levels including the Procurement Steering Board which will be set up following approval to steer co-produced commissioning.

### **Supplier Market Analysis**

- There is a limited provider market within London. West London NHS Trust (WLT) is one of the two Mental Health (NHS) providers within NWL. CNWL is the other NWL provider, who is the junior partner to WLT in the new ECGG single contract for community services. There have been some recent third sector entrants to the market and more since the introduction of Mental Health Support Teams, which so far are proving to be successful. Harrow is currently working with a voluntary sector provider (Barnardo's) to provide CAMHS services and this relationship has been sustained.
- There are challenges faced within the market for suitably qualified mental health staff e.g. Clinical Psychologists and Mental Health nurses.

NHS England alongside NHS Improvement and Health Education England have developed a new workforce with the introduction of Mental Health Support Teams. This not only offers the opportunity of addressing some of the challenges faced within the market for suitably qualified mental health staff, but also reduces the cost of workforce by introducing a different skill mix.

## **4. Financial**

**a) Financial impact on the budget (mandatory)**

The revenue expenditure for the service is £1.895m this year due to an underspend in year which will be maintained to offset existing cost pressures in year and in 2021-2022. The Clinical Commissioning Group contributes £200,000 per year towards this cost.

The service is funded from existing Children's Services revenue budgets relating to the following service areas. The annual funding level will reflect the recurring budgets in 2021-2022 and 2022-2023 as below, to which the CCG contributes £0.200m per year towards the total recurring annual cost (and is contributing a non-recurrent £0.100m for 2021-2022 further noted below during 2021-2022 as part of a skill mix/service review of the SAFE service).

<b>Service</b>	<b>2020-21 Budget £m</b>	<b>2021-22 Budget £m</b>	<b>2022-23 Budget £m</b>
LAC	0.212	0.212	0.212
SAFE**	0.839	0.839	0.839
ESCAN	0.104	0.104	0.104
Brighter Futures	0.416	0.416	0.416
Primary Behaviour Service	0.164	0.164	0.164
Clinical Psychology in Schools	0.160	0.160	0.160
<b>Total</b>	<b>1,895</b>	<b>1,895</b>	<b>1,895</b>

\*\* includes £0.200 contribution from Ealing CCG

	<b>Year 1 2020-21</b>	<b>Year 2 2021-22</b>
	<b>Revenue £m</b>	<b>Revenue £m</b>
<b>Addition</b> (this is income from CCG to fund the existing service)		£0.100
<b>Reduction (-)</b>		

As part of the financial review of this service, 2 additional clinical psychology CAMHS posts were found to have been created in response to successful bids/grants received within the last 2 years (£44,000) and 1 CAMHS post has been approved for recruitment in 2021-2022, which will be funded through existing Children's Services revenue budgets (£37,000) in an effort to reduce known costs. Given that these posts are not part of any formal contract with West London NHS Trust and are part of Tier 2 services, an intended Variation of additional non-recurrent contribution of £81,000 (to be supported by a contract variation) in 2021/2022 is proposed.

There is the potential for future savings beyond 2021-2022 via cost avoidance and finding additional funding streams as part of the service redesign.

## **b) Financial background**

- Direct award – non recurrent
- Value of future tender contract in 2022-2023 will be dependent on NHSE funding of the Mental Health Support teams which is guaranteed until 2024.as outlined in the [NHS Mental Health Implementation Plan](#)

## **5. Legal**

5.1 Contracts awarded by the Council must be let in accordance with the Councils Contract Procedure Rules (CPRs) except where exceptions to the rules are granted. The services to be provided under the contract by WLMHT are deemed to fall within scope of the Light Touch Regime under the Public Contracts Regulation 2015. Further comments are set out in Confidential Appendix 1.

5.3 ‘Working Together to Safeguard Children’ places a duty on inter-agency working to safeguard and promote the welfare of children and co-operate in terms of partnership working to deliver prevention and earlier intervention on emotional health through integrated services. This theme is also emphasised in the Council’s constitutional arrangements for the HWB which states it is a function of the HWB to have oversight of the quality, safety, and performance mechanisms operated by its member organisations, and the use of relevant public sector resources across a wide spectrum of services and interventions, with greater focus on integration across outcomes spanning health care, social care and public health.

5.4 Under Section 17 of the Children Act 1989, every local authority (in addition to other duties imposed on them) is under a duty to safeguard and promote the welfare of children within their area who are in need, by providing a range and level of services appropriate to those children’s needs. Additionally, section 11 of the Children Act 2004 places a duty on every local authority to make arrangements for ensuring that their functions are discharged having regard to need to safeguard and promote the welfare of children. The duties include the provision of the services mentioned above. Extending the contracts will enable the Council to continue to meet its statutory duties it will also enable it comply with its obligations under the Health and Social Care Act 2012. The Council has a duty under the Children Act 1989 to safeguard and promote the welfare of children in their area of jurisdiction who are in need and so far as is consistent with that duty to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children’s needs.

## **6. Value For Money**

The intention is to continue with the ongoing review of the service and further model opportunities for savings as the service is redesigned, for implementation within the new service in April 2022.

The Mental Health Support Teams offer the opportunity of addressing some of the challenges faced within the market for suitably qualified mental health staff and reduce the cost of workforce by introducing a different skill mix.

## 7. Sustainability Impact Appraisal

Not applicable

## 8. Risk Management

There is a low risk of challenge to the direct award by other CAMHS providers, particularly as the plan is to follow a suitable procurement process in the next financial year.

## 9. Community Safety

Not applicable

## 10. Links to the 3 Key Priorities for the Borough

- A healthy and great place

## 11. Equalities, Human Rights and Community Cohesion

An Equalities Assessment has not been undertaken. However, it should be noted that Tier 2 mental health services are provided to some of the most vulnerable children and young people in Ealing, through the following integrated services:

- **LAC** - Clinical Psychology provides support to children who are placed within and out of borough care supporting with the aim of improving the mental health and emotional wellbeing and reducing placement breakdown e.g., residential placements and foster care. This psychological provision supports the Looked After Children team, a Statutory service.
- **Supportive Action for Families in Ealing (SAFE)** - Early Help CAMHS Component: SAFE works with the aim of intervening at the earliest opportunity to prevent children and family needs becoming more severe and entrenched thereby reducing more costly downstream interventions.
- **Ealing Service for Children with Additional Needs (ESCAN)** provision is early Clinical Psychology provision, to children and families identified at risk and in need of specialist clinical psychology support to prevent family break down and situations escalating.
- **Brighter Futures** - includes Clinical Psychology capacity in each Social Care team (This psychological provision supports a Statutory service and helps to manage demand and control spend).
- **Primary Behaviour Service** - Clinical Psychology Provision: provides advice, strategies, support and interventions to schools, children and families in partnership with other key agencies. Prevents school exclusion and improves educational attainment.

- **Clinical Psychology in Schools** - Situated in the school one day a week, the clinical psychologist provides an early intervention service consisting of mental health focused assessment, evidence-based intervention and consultation to children and their families. (The service is mainly funded through school buy-back, but the core provision is under this contract)

## 12. Staffing/Workforce and Accommodation implications:

In 2021-2022 there are no staffing implication as it is proposed that a Direct Award will be made to the existing contract provider.

If the competitive re procurement of the service is approved during the next financial year, it is likely to apply but the providers will take a view on this matter.

The staff work as part of integrated teams in LBE accommodation across the borough.

## 13. Property and Assets

**If the report does not involve property, please state that there are no property implications.**

In 2021-2022 there will be no property implications as it is proposed that a Direct Award will be made to the existing contract provider.

If the competitive re procurement of the service is approved during the next financial year, it will depend on the service delivery model proposed

## 14. Any other implications:

Not applicable

## 15. Consultation

Not applicable

## 16. Timetable for Implementation

### High-level Timeline for the delivery of Recommendations

Milestone	Date
<b>Direct Award</b>	
Approval of Direct Award	9/2/21
Amendments to existing contract	February 2021
Contract agreed with West London NHS Trust	March 2021
Direct Award granted	April 2021
<b>Competitive Re procurement</b>	
Internal governance and specification (including establishment of Procurement Steering Board and developing service specification and ITT documents)	February – July 2021

<b>Milestone</b>	<b>Date</b>
Adverts and ITT pack published	August 2021
ITT Evaluation period (including preliminary checks, individual evaluations, moderation meetings and bidder interviews)	Mid September 2021
Governance approval process	Mid October to end November 2021
Issue outcome letters including debriefing information and stand still period (dependent upon Governing Body approval date)	December 2021
Contract finalisation and service mobilisation	January to March 2022

## 17. Appendices

Attached

## 18. Background Information

[NHS Mental Health Implementation Plan](#)

### Consultation

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent to consultee</b>	<b>Date response received</b>	<b>Comments appear in paragraph:</b>
<b>Internal</b>				
Cllr Yvonne Johnson	Portfolio Holder, Schools and Children's Services and Deputy Leader	12.1.21	14.1.21	
Judith Finlay	Executive Director Children, Adults & Public Health	12.1.21	19.1.21	
Carolyn Fair	Director of Children's Services	12.1.21	19.1.21	
Chuhr Nijjar	Senior Contracts Lawyer, Legal and Democratic Services	7.1.21	13.1.21	Purpose of Report, 1. Recommendations 5. Legal
Catherine McKinley	Finance Business Advisors, Children & Schools	7.1.21	11.1.21	4. Financial
Sandeep Sahota			12.1.21	
Eunice Onyema			12.1.21	
Bhaven Marshal	Children's Health Commissioner	4.1.21	5.1.21	2.Reason for Decision and Options

<b>Name of consultee</b>	<b>Post held</b>	<b>Date sent to consultee</b>	<b>Date response received</b>	<b>Comments appear in paragraph:</b>
<b>Internal</b>				
Mary Parmar	Head of Integrated Commissioning, Adults & Children's and the CCG	7.1.21	12.1.21	
Charles Barnard	Assistant Director, Early Years Preventative and Youth Services	4.1.21	5.1.21	4. Financial
Craig McDowell/Christine Baker	Category Lead (People), Commercial Hub	4.1.21	13.1.21	2.Reason for Decision and Options 4. Financial

### **Report History**

<b>Decision type:</b>	<b>Urgency item?</b>
Key decision	No
Report no.:	Report author and contact for queries:
	Lisa Burrage, Tier 2 Contract Lead - Integrated Commissioning Team <a href="mailto:BurrageL@ealing.gov.uk">BurrageL@ealing.gov.uk</a> 07976 154410